



Attorney Docket # 4925-9RCE

MS-AF
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Jukka WALLENIOUS et al.

Serial No.: 09/431,753

Filed: November 1, 1999

For: Timedependent Hyperlink System In
Videocontent

Examiner: Mirza, Adnan M.
Group Art: 2152

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Alfred W. Froebrich

Name of applicant, assignee or Registered Representative

Signature

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Date of Signature

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

SIR:

This is a Request for a Panel Review of Issues on Appeal in accordance with the Office Gazette Notice dated July 12, 2005. The present request is filed concurrently with a Notice of Appeal and is filed before an Appeal Brief. No amendments are being filed with this request.

Arguments supporting the Request for Review begin on page 2 of the present communication.

ARGUMENTS

This Notice of Appeal and Request is filed in response to the final Office Action dated October 14, 2005.

The matters to be reviewed are (1) whether the amendments made to claims 1, 5, 6, 34, 38, and 52 should be rejected under 35 U.S.C. §112, first paragraph, as not being enabled by the specification and (2) whether independent claims 1, 34, and 69 are anticipated by U.S. Patent No. 6,357,042 (Srinivasan) under 35 U.S.C. §102(e).

Rejection under 35 U.S.C. §112

Independent claims 1 and 34 were amended to recite “initiating a connection of a browser to a second content server is performed prior to selecting the link associated with the second content server such that said step of switching the connection is performed as a smooth switchover when the selected hyperlink is selected in said step (c)”.

The amendment which introduced this limitation states that support is found on page 14, lines 10-21. That portion of the specification discloses that a browser initiates that establishment of a session towards content pointed to by a link, before the user selects the hyperlink. To accomplish this, the hyperlink is transmitted to the browser before the link is visible in the video (see step 30 of Fig. 1c). When the user selects the hyperlink, a smooth switchover is achieved because of the parallel connection. This requires (1) sending the link to the browser before the link is viewable in the video and (2) switching over, by the browser, from the video to the new link if the new link is selected by the user. The specification discloses that the link data may be sent a user's browser using UDP/IP or TCP/IP protocol (see page 9, lines 9-14). Accordingly, sending a link is enabled. Furthermore, the switching over is performed in response to the user selection of the new link. It is respectfully submitted that those skilled in the

art of Internet Protocol communications are enabled to switch from one browser connection to another. In view of the above amendments and remarks, the rejection of independent claims 1 and 34 under 35 U.S.C. §112, first paragraph, should now be withdrawn.

Rejection under 35 U.S.C. §102(e)

Each of the independent claims 1, 34, and 69 recite that determining of content reference for a new session and initiating a connection of the browser to the new session is performed before the user selects the hyperlink associated with the new session.

Srinivasan relates to a method and apparatus for multiplexing separately-authored metadata for insertion into a video data stream. Srinivasan disclosed a tracking module 13 adapted to determine a pixel signature associated with a visual entity to be tracked in a video display, and there to determine the path of the pixel signature in the display (see col. 7, lines 16-20 of Srinivasan). For example, a semi-transparent shape 31 defines an area that may be rendered an interactive area linked to the swim suit of diver 27 (col. 8, lines 5-7). Srinivasan further discloses that a mouse click on an entity during playback of the video may invoke a link to a network-based data-server that delivers data to the end user (col. 12, lines 30-33).

The Examiner refers to col. 17, lines 13-36 of Srinivasan in his rejection of step (f) of independent claim 1. However, that portion of Srinivasan merely describes supplying annotations in a video. Accordingly, this section of Srinivasan which describes the insertion of annotations, does not disclose, teach, or suggest determining of content reference for a new session and initiating a connection of the browser to the new session is performed before the user selects the hyperlink associated with the new session, as recited in each of the independent claims.

In his response to our arguments on page 8-9 of the final Office Action, the Examiner refers to col. 26, lines 58-63 of Srinivasan. However, this section of Srinivasan merely states that other functions may be performed while a user is viewing a thumbnail. There is no teaching or suggestion that the steps of determining of content reference for a new session and initiating a connection of the browser to the new session are performed before the user selects the hyperlink associated with the new session, as recited in each of the independent claims, as recited in each of the independent claims 1, 34 and 69.

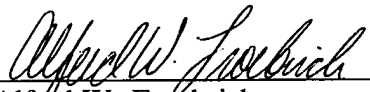
In view of the above amendments and remarks, the rejection of independent claims 1, 34 and 69 under 35 U.S.C. §102 should now be withdrawn.

The application is deemed to be in condition for allowance and notice to that effect is solicited.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By


Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

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